

APPROVED

January 22, 2008

**MEETING OF THE MONTGOMERY COUNTY BOARD OF ELECTIONS  
751 Twinbrook Parkway, Rockville, Maryland**

**In Attendance:**

**Board Members:**

Samuel Statland, President  
Nancy Dacek, Secretary  
John Sullivan  
Nahid Khozeimeh  
Jerrold Garson  
Lucia Nazarian

**Staff:**

Margaret Jurgensen, Director  
Sara Harris, Deputy Election Director  
Susan Campbell, IT Specialist  
Leslie Hatch, Election Judge Coordinator  
Betty Ann Lucey, Registration Manager  
Paul Valette, Operations Manager  
Kevin Karpinski, Esq., Attorney  
Marjorie Roher, Administrative Specialist  
Renee Adams, Election Aide

**Guests:**

Dr. Nate Berger  
Stan Boyd, Save Our Votes  
Dr. Thomas Jones  
Holly Joseph, Save Our Votes  
Mary Kiraly, MD-EIC  
Brigitta Mullican, League of Women Voters of Montgomery County  
Mark Posner, Montgomery County Democratic Central Committee  
Barbara Powell, Montgomery County Republican Central Committee

Mr. Statland called the meeting to order at 2:33 p.m.

**Additions/Changes to the Agenda**

Mr. Statland stated that Mary Carter-Williams would not be attending because of illness, therefore Mr. Garson would assume a voting position for the duration of the meeting. Ms. Jurgensen requested the addition of an Executive Session to discuss a personnel matter and preparation for the in-house testing of voting equipment.

## **Approval of December 10, 2007 Minutes**

Minutes from the December 10, 2007 meeting were distributed for review. A motion was made by Mrs. Dacek to approve the December 10, 2007 minutes as submitted. The motion was seconded by Mr. Garson and carried unanimously.

## **Public Comments**

Dr. Berger asked the Board to ensure that treatment of special needs individuals' was uniform across all voting places and compliant with the intent of ADA legislation. He suggested that if a number of disabled people are waiting to vote a separate line should be established and the accessible voting machine reserved for use by disabled individuals only. Mr. Statland thanked Dr. Berger for his comments stating that the Board's attorney would look into the matter for discussion at a future meeting.

\*\*\* Dr. Berger left meeting at 2:43 p.m. \*\*\*

## **Status Reports**

### **Operating Budget**

Ms. Jurgensen reported that Ms. Roher had completed the second quarter analysis for FY08 which projects a \$1.2m deficit in personnel costs. Ms. Jurgensen stated that when the election was changed from March to February the training of election judges was consolidated into a 5 week period of time. This resulted in increasing the number of trainers and trainer support staff and adding the new closer election judge positions. Ms. Roher explained when hiring from temporary agencies the personnel costs increase. Mr. Statland asked if the Executive's office is aware that their procedure is costing more money than less. Ms. Roher responded that while most county agencies are able to plan for workload increases, the Board of Elections has to respond in a much quicker time frame. Mr. Statland asked if more canvass workers are needed. Ms. Roher explained that conditional offers were extended to canvass workers prior to the hiring freeze, and those positions were exempted making the canvass fully staffed. Ms. Jurgensen noted that the Operating Expenses show a surplus of \$4,000.00. She stated that reviewing the third quarter analysis would provide a better idea of where we are in terms of reimbursement and billing from the State Board of Elections.

### **Statewide Voter Registration System**

Ms. Jurgensen reported that there are 123 outstanding Spirit issues regarding the functionality of MDVoters. Mr. Statland questioned what happens to Spirit issues that are generated by Montgomery County. Ms. Jurgensen explained that some Spirit issues are resolved immediately while others, depending on state-wide impact, may be considered

to require an enhancement to the system. If the issue is deemed an enhancement, it is taken to a JAD session to determine practicality of undertaking and statewide need. Ms. Jurgensen gave some examples of Spirit issues such as hauler cards, correspondence functionality of the election worker module, and party affiliation labels.

### **State Board of Elections**

Ms. Jurgensen announced that the State Board of Elections is going to be sending last minute instructions to the local boards for distribution to the election judges. Mr. Statland asked what percentage of judges had been trained and Ms. Jurgensen responded that approximately 60% had been. Mr. Statland asked how this notification is going to be sent and Ms. Jurgensen responded that they would be included in the Quick Start Tool Kit that includes a letter from her. Ms. Hatch reported that training is going well.

### **Legislative Update**

Ms. Jurgensen reported that she attended The Election Center's Joint Election Officials meeting where she was informed by Senate House Staff that the Federal Election Commission was caught in a political gridlock and appointments are at a stand still. Senator Trent Lott resigned, leaving a vacancy on Senate Rules Committee which could result in realignment. Ms. Jurgensen reported that the General Accounting Office is preparing a report on the Florida election which is expected soon.

### **Old Business**

There was no Old Business discussed.

### **2008 Election Preparation**

Ms. Jurgensen provided the Board with an update on the status of election preparations. She noted that the deadline to register to vote is January 22, 2008, at 9:00 p.m. Applications received on that day, either in person or postmarked, will be accepted and processed. The database will be closed on Sunday, January 27, 2008. Approximately 4,200 voter registration applications have been processed since January 1, 2008. The Absentee office had mailed 6,500 ballots as of January 22, 2008, of which 800 were overseas ballots mailed January 2. The overseas ballots will need to be duplicated during the Absentee 2 Canvass. The Polling Place Support Program has filled 58 routes and has 3 individuals to serve on a stand-by basis. Ms. Jurgensen noted that county employees will serve as roamers. There are currently 7 vacancies, 1 route in Gaithersburg, 1 route in Glen Echo and the balance are in Bethesda. Board members will be required to take a route to confirm that voting equipment is set-up and phones are plugged into the jack and functioning. Each person will be assigned three precincts by Dr. Zelaya to check same.

There will be a Board meeting on February 7<sup>th</sup> before the supply inspection at 10 a.m. The precincts that were chosen by the Board for verification as well as the 10% validation of Election Day voting units are: 04-04, 04-10, 14-21, 04-24, 04-25, 05-07, 05-18, 06-07, 06-09, 06-11, 07-02, 07-03, 07-09, 07-16, 09-19, 09-26, 10-13, 13-02, 13-06, 13-20, 13-31, 13-34, 13-35, 13-38, and 13-44.

Ms. Roher stated that she will be requesting updated cell phone numbers and a general idea of where the Board members will be on Election Day so that she is able to reach them when necessary. Ms. Roher informed the Board that the media will be guided to precincts 7-26, 4-16, 13-64, 13-5, and 5-15, but may request to visit other sites. A media schedule will be provided to the Board on February 7<sup>th</sup>.

### **Voting Equipment Update**

Ms. Campbell reported that adjustments were made to the battery connectors and logic and accuracy testing has been completed. Ms. Jurgensen reported that Premier/SBE have agreed to stockpile 300 batteries for the voting units in case of power outage. Voting unit preparation is 35% complete. Preparation of the electronic poll books will begin after SBE provides the download of precinct information.

### **Election Judge Update**

Ms. Jurgensen distributed a list of Chief Judge assignments and asked for a motion to appoint them for the 2008 Election cycle. A motion was made by Mrs. Dacek to appoint the Chief Judges listed. The motion was seconded by Mr. Sullivan and carried unanimously. Ms. Jurgensen then reviewed the election judge status noting that there are 400 vacancies. Spanish language judges have been placed in all precincts with 24 available substitutes.

### **Election Task Force**

Ms. Jurgensen reported that county support is at the normal level. Mrs. Harris met with Security and Facilities to discuss plans for both Primary and General Elections.

### **Snow Plan**

Ms. Jurgensen noted that MCPS has committed to clearing their facilities. If snow is substantial, they are coordinating with the county snow removal team to bridge contracts so they are not attempting to pull from the same contractors. Ms. Jurgensen added that signed waivers had been received from Wheaton Moose Lodge and several other locations just in case the private snow contractors are late. All county facilities serving as polling places are covered, having been placed on the priority list. Ms. Jurgensen also noted that the county planned to notify the State Highway Department about precincts located on or near state highways. She reviewed various snow scenarios including snow and bad weather on Election Day that doesn't close roads, snow or weather knocking out power, and the Election being postponed. Ms. Hatch stated that a

list of emergency contact telephone numbers is provided for trainers for snow emergencies. Mr. Statland thanked everyone involved including Board staff for the wonderful job and hours that have been spent developing plans.

### **Media Update**

Ms. Roher announced that the media kit, complete with sample ballots, would be available by the end of the week.

\*\*\* Ms. Campbell left the meeting at 4:06 p.m. \*\*\*

### **New Business**

#### **Canvass/Audit Procedure**

Ms. Jurgensen reviewed the elements of the audit procedures noting that the attorney will provide more detailed information prior to the canvass.

\*\*\*Mr. Jones left the meeting at 4:28 p.m. \*\*\*

### **Report on the Executive Session**

At 4:15 p.m., Mrs. Dacek moved that the Board meet in Executive Session pursuant to State Government Article, Sections 10-508(a)(13) and 10-508 (a) to discuss a personnel matter and preparation for the in-house testing of the voting equipment. The motion was seconded by Mr. Garson and carried unanimously.

\*\*\* Holly Joseph, Mary Kiraly, Betty Ann Lucey, Mark Posner, Barbara Powell, Brigitta Mullican and Paul Valette left the meeting at 4:34 p.m.\*\*\*

The Montgomery County Board of Elections met in closed session on this date. The following members of the Board and staff were in attendance: Samuel L. Statland, Nancy H. Dacek, John J. Sullivan, Nahid Khozeimeh, Jerrold Garson, Lucia Nazarian, Margaret A. Jurgensen, Sara Harris, Kevin Karpinski, Marjorie Roher, and Renee Adams.

#### **Personnel Matter**

The Board discussed performance of an election judge who wanted to notify the Board about her personality and work ethic. A handout was provided to the Board that reflected past performance.

### **Preparation**

The Board discussed the in-house testing of the voting equipment.

There were no other items discussed in the Executive Session.

A motion was made by Mr. Garson to adjourn the Executive Session and reconvene in regular session. The motion was seconded by Ms. Dacek and carried unanimously, with the Board reconvening in regular session at 5:05 p.m.

### **Future Meetings**

- A. February 7, 2008 – Supply Inspection-Time TBD
- B. February 12, 2008 – Election Day
- C. February 14, 2008 – 10:00 a.m. – Absentee Canvass Begins
- D. February 18, 2008 – 10:00 a.m. –Provisional Canvass Begins
- E. February 22, 2008 – 10:00 a.m. – Overseas Absentee Canvass Begins
- F. March 17, 2008
- G. April 21, 2008
- H. May 6-8 MAEO Conference, Ocean City
- I. May 19, 2008
- J. June 16, 2008
- K. July 21, 2008
- L. August 18, 2008 – Tentative
- M. September 15, 2008
- N. October 20, 2008
- O. October 30, 2008 – Supply Inspection-Time TBD
- P. November 4, 2008 – Election Day
- Q. November 6, 2008 – 10:00 a.m. – Provisional Canvass Begins
- R. November 10, 2008 – 10:00 a.m. – Provisional Canvass Begins
- S. November 13, 2008 – 10:00 a.m. – Overseas Absentee canvass Begins
- T. December 14, 2008 – Tentative

\*\*\* Ms. Roher apologized for her absence from the majority of the meeting and informed the Board of a severe water leak in the building, noting that water would be shut off by 9:00 p.m. for an unknown length of time.\*\*\*

Adjournment

With no further business, a motion was made by Mr. Sullivan to adjourn the meeting. The motion was seconded by Mrs. Dacek and carried unanimously. The meeting was adjourned at 5:07 p.m.

APPROVED

Respectfully submitted,

*Marjorie M. Roher*

Marjorie M. Roher  
Administrative Specialist

APPROVED BY THE BOARD:

*Samuel L. Statland*

Samuel L. Statland  
Board President